

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

----- x  
ALAN BROWN,

Plaintiff,

-against-

STATE STREET CORPORATION  
and STATE STREET GLOBAL  
ADVISORS,

Defendants.  
----- x

: Case No. 05 Civ. 11178 (NG)

:  
: LOCAL RULE 16.1(d)(3)  
: CERTIFICATION  
:

Pursuant to LR 16.1(d)(3), Defendants State Street Corporation and State Street Global Advisors and their attorneys Quinn Emanuel Urquhart Oliver & Hedges, LLP certify that they have conferred:

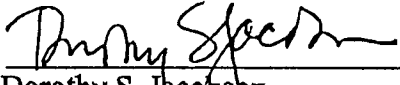
(a) with a view to establishing a budget for the costs of conducting the full course--and various alternative courses--of the litigation; and

(b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

Dated: New York, New York  
December 5, 2005

Respectfully submitted,

STATE STREET CORPORATION  
and STATE STREET GLOBAL  
ADVISORS

By:   
Dorothy S. Jacobson  
Senior Vice President and Managing  
Counsel  
Global Human Resources

QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP

By: /s/ Peter Calamari  
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